

By Greenberg

B. No. 2380

A BILL TO BE ENTITLED

AN ACT

relating to authorizing the State Purchasing and General Services Commission to enter into master lease and other multi-year equipment and real property lease purchase contracts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 601(d), Sec. 9A, Civil Statutes of Texas is amended to read as follows:

Issuance of obligations for equipment

Sec. 9A. (a) The authority may issue and sell obligations for the financing of a lease or other agreement so long as the agreement concerns equipment that a state agency has purchased or leased or intends to purchase or lease. The authority's power to issue obligations includes the power to issue and sell obligations for the financing of a package of agreements involving one or more state agencies.

(b) The obligations issued by the authority shall be payable pursuant to an agreement that may be in the nature of:

(1) a lease under which the authority leases equipment from

1 a vendor for sublease to the commission or a state agency;

2 (2) a purchase by the authority of equipment and the lease
3 of that equipment either directly to the commission for the benefit
4 of a state agency or directly to a state agency;

5 (3) a purchase by the authority of equipment and the sale of
6 that equipment to a state agency on an installment payment basis;
7 or

8 (4) any similar agreement.

9 (c) If an agreement is between the authority and a state
10 agency or between a vendor and a state agency, the commission shall
11 nevertheless perform its functions as purchasing agent for the
12 state with the funds obtained pursuant to this section being used
13 solely for the purpose of financing the agreement. The board and
14 the commission shall adopt a memorandum of understanding that
15 defines the division of authority between the board and the
16 commission.

17 (d) State agencies are authorized to enter into the types of
18 contracts and agreements delineated in this section for the purpose
19 of purchasing or leasing necessary equipment. If a law requires
20 a state agency to obtain the approval of another state agency or
21 perform any other act before a state agency may purchase or lease
22 computer equipment, then those requirements must be satisfied
23 before an agency may enter into a contract or agreement under this
24 Act. The authority shall promulgate rules so that obligations are
25 not issued and sold before the authority receives written proof
26 that the requirements have been satisfied.

1 (e) Notwithstanding, any conflict with the foregoing
2 provisions, the authority is directed to evaluate and implement a
3 system of purchasing or leasing equipment as expeditiously as
4 possible, but in no event later than January 1, 1993. In
5 evaluating such a system, the authority is directed to consider the
6 most cost-beneficial approach, and to seek to reduce current
7 interest and finance costs in the purchasing or leasing of
8 equipment.

9 SECTION 2. The importance of this legislation and the crowded
10 condition of the calendars in both houses create an emergency and
11 an imperative public necessity that the constitutional rule
12 requiring bills to be read on three separate days in each house be
13 suspended, and this rule is hereby suspended.

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~~MAR 7 1991~~

1. Filed with the Chief Clerk.

MAR 25 1991

2. Read first time and Referred to Committee on

STATE AFFAIRS

3. Reported favorably (as amended) (as substituted) and sent to Printer at _____

4. Printed and distributed at _____

5. Sent to Committee on Calendars at _____

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

7. Motion to reconsider and table the vote by which H.B. _____ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____ present, not voting.

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

12. Ordered Engrossed at _____

13. Engrossed.

14. Returned to Chief Clerk at _____

15. Sent to Senate.

Chief Clerk of the House

16. Received from the House

17. Read, referred to Committee on _____

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by (a viva voce vote.) (_____ yeas, _____ nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments.)
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record
(Substitute) Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____